

12/06/01

PATENT ATTY DOCKET NO SAA-5-2

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re New U.S. Divisional Patent Application of	:) Prior Appl	ication:	
Swales et al.	) Applicatio		
	) Filed: Mar	ch 12, 2001	
Mailed: November 26, 2001	)		
	) Art Unit:	Unknown	
For: MESSAGING APPLICATION LAYER	)		
OVER ETHERNET TO TRANSPORT LAYER	) Examiner:	Unknown	
(TCP) COMMUNICATIONS METHOD AND	)		
APPARATUS FOR A MODULAR TERMINAL	.)		Er
INPUT/OUTPUT SYSTEM	)		36700
			ET 367086284 US
DIVISIONAL PATE	NT APPLIC	CATION	24 45
TRANSMITTAL FILING	INDER 37	C.F.R. +1.53(b)	

Box Patent Application Commissioner For Patents Washington, D.C. 20231

Dear Sir:

This is a request for filing a divisional application of pending prior Application Serial No. 09/804,362, under 37 C.F.R. ' 1.53(b). The parent application was filed on March 12, 2001, by Applicants Andrew G. Swales, Allan Tanzman and A. Dean Papadopolous, and is similarly entitled MESSAGING APPLICATION LAYER OVER ETHERNET TO TRANSPORT LAYER (TCP) COMMUNICATIONS METHOD AND APPARATUS FOR A MODULAR TERMINAL INPUT/OUTPUT SYSTEM.

#### Benefit of Prior U.S. Application

The attached divisional application being transmitted claims the benefit of a prior U.S. application, as indicated below.

#### **Papers Enclosed**

In accordance with 37 C.F.R. ' 1.63(d), the specification filed herewith contains no new matter. Accordingly, a copy of the executed Declaration and Power of Attorney from the parent application (U.S. Application No. 09/804,362) is submitted herewith.

The papers attached are as follows:

- pages of Specification.
- 5 pages of Claims.
- \_\_\_\_\_ page of Abstract.

#### **Additional Papers Enclosed**

A Preliminary Amendment is also attached, requesting cancellation of claims 1-10 before examination.

A copy of the original Assignment filed in the prior U.S. Application is also submitted herewith.

## Declaration or oath (including power of attorney)

As previously stated, a copy of the executed Declaration and Power of Attorney filed in the prior U.S. application (Application No. 09/804,362) is submitted herewith, in accordance with 37 C.F.R. '1.63(d).

## **Inventorship Statement**

The inventorship for all the claims in this application is the same as that for the parent application.

# Fee Calculation (37 C.F.R. ' 1.16)

The filing fee has been calculated as shown below:

			•	Small Entity			Other Than A Small Entity	
For:	No. Filed	No. Extra		Rate	Fee	or	Rate	Fee
Basic Fee				1.00	\$370	or		\$740
Total Claims	21 - 20 =	1		x 9 =	\$	or	x 18 =	\$18
Indep. Claims	2 - 3=	0		x42 =	\$	or	x 84 =	\$0
9 First Presentation of Multi	ple Dependent	Claim		x140 =	\$0	or	x280=	\$0
				Total	\$	or	Total	\$758

The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 19-3875(SAA-5-2) for the following fees associated with this

communication and during the entire pendency of the Application (a duplicate copy of this sheet is attached).

- X Any additional filing fees under 37 C.F.R. ' 1.16(a), (f) and (g).
- X Any filing fees under 37 C.F.R. 1.16(b), (c) and (d) for presentation of extra claims.
- X Any patent application processing fees under 37 C.F.R. ' 1.17.

#### Relate Back--35 U.S.C. 120

As required under 35 U.S.C. 120, the Specification of the attached application includes the following specific reference to the earlier filed parent application:

This Application is a divisional of co-pending Application Serial No. 09/804,362 filed March 12, 2001, upon which a claim of priority is based.

Please address all future communications to:

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of	)
Swales et al.	)
,	)
Application No. 09/804,362	) Group Art Unit 2182
	)
Filed: March 12, 2001	) Examiner: Chun Cao
	)
For: MESSAGING APPLICATION LAYER	)
OVER ETHERNET TO TRANSPORT LAYE	
(TCP) COMMUNICATIONS METHOD AND	0)
APPARATUS FOR A MODULAR	)
TERMINAL INPUT/OUTPUT SYSTEM	)

Commissioner For Patents Washington, D.C. 20231

# NOTIFICATION OF FILING OF DIVISIONAL APPLICATION

Notification is hereby being made of the filing of a Divisional Application for this case concurrently herewith.

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